

**Agenda
Monroe County Airport Authority
Annual Meeting
March 25, 2015
12:00 Noon**

- | | | |
|----|--|----------------------------|
| 1. | Roll Call | Vazzana |
| 2. | Approval of Minutes from March 26, 2014 Annual Meeting | Vazzana |
| 3. | Appointment of Officers
Proposed Slate: | Vazzana |
| | Vice Chairperson: | R. Thomas Flynn |
| | Assistant Secretary: | Donald L. Crumb, Jr., Esq. |
| | Assistant Treasurer: | Maryanne Fedison |
| 4. | Other Business | Vazzana |
| 5. | Adjournment | Vazzana |

**Agenda
Monroe County Airport Authority
Regular Meeting
March 25, 2015
12:05 p.m.**

- | | |
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| 1. Pledge of Allegiance | Vazzana |
| 2. Roll Call | Vazzana |
| 3. Approval of Minutes from January 21, 2015 | Vazzana |
| 4. Treasurers Report | Franklin |
| 5. Finance Committee Report | Stuart |
| 6. Governance Committee Report | Vazzana |
| 7. Audit Committee Report | Perrone |
| 8. Approve Submission of Annual Report and Acceptance of 2014 Audit Report by Bonadio & Co., LLP | Perrone |
| 9. Authorize a Lease Agreement with the Federal Aviation Administration (FAA) for equipment located at 999 Beahan Road | Crumb |
| 10. Authorize an Amendment of the Lease between National Equity Holding LLC and the Monroe County Airport Authority for the Parking lot commonly known as the "Red Lot" | Giardino |
| 11. Authorize the Administrative Director to enter into an agreement with Qualified Airlines for new Non-Stop Service from ROC to an unserved airport as part of the Airline Incentive Package for the Monroe County Airport Authority at the Greater Rochester International Airport | Giardino |
| 12. Authorize an Amendment of the Concession Agreement with SSP America, Inc., f/ka Creative Host Services, Inc., for Operation of Food and Beverage Concessions for the Monroe County Airport Authority at the Greater Rochester International Airport | Giardino |
| 13. Authorize Amendment of the Agreement for Advertising with Normal Communications, LLC for the Monroe County Airport Authority at the Greater Rochester International Airport | Crumb |
| 14. Litigation Report | Crumb |
| 15. Traffic Report | Haas |
| 16. Director's Report | Giardino |

17. Other Business

Vazzana

Next meeting is May 20, 2015

MONROE COUNTY AIRPORT AUTHORITY

RESOLUTION NO. ____ of 2015

**APPROVE SUBMISSION OF ANNUAL REPORT AND ACCEPTANCE OF 2014 AUDIT
REPORT BY BONADIO & COMPANY, LLP**

**BE IT RESOLVED BY THE MEMBERS OF THE MONROE COUNTY AIRPORT
AUTHORITY, as follows:**

Section 1. The Annual Report for the Monroe County Airport Authority as presented at this meeting (Exhibit 1), is hereby accepted and it is authorized and directed that said report be filed with NYS Authority Budget Office, the County Executive, Chief Financial Officer, and President of the County Legislature for the County of Monroe in compliance with Section 2800 of the Public Authorities Law. The financial reports included as part of the Annual report are hereby approved. Maryanne Fedison, Assistant Treasurer, is designated to certify the Annual Report, and any portions thereof, requiring certification by the Public Authorities Law.

Section 2. Public Authorities Law Section 2824 requires the establishment of policies regarding payment of salary, compensation and reimbursement and rules for time and attendance of the chief executive and senior management. The Authority hereby determines that said policies and rules are not required since all services to the Authority are rendered by the County of Monroe pursuant to a Lease and Operating Agreement dated September 15, 1989 and the Authority has no employees and has not created any employee positions.

Section 3. Based upon the review and recommendation of the Audit Committee the Monroe County Airport Authority hereby readopts the policies as follows: Business and Travel Expense Policy; Code of Ethics Policy; Credit Card Policy; Disbursement Policy; Extension of Credit to Board Members and Executive Officers Policy; Fixed Asset Policy; Internal Controls and Financial Accountability Policy; Investment and Deposit Policy; Procurement Disclosure Policy, Procurement Policy; Tracking, Inventory, and Disposal of Assets and Acquisition of Real Property; Travel Policy; and Whistleblower Policy. (Handbook)

MONROE COUNTY AIRPORT AUTHORITY
RESOLUTION NO. ____ of 2015
Page 2 of 2

**APPROVE SUBMISSION OF ANNUAL REPORT AND ACCEPTANCE OF 2014 AUDIT
REPORT BY BONADIO & COMPANY, LLP**

Section 4. The Authority having reviewed the 2014 Financial Statements and Independent Auditors' Report prepared by Bonadio & Company, LLP hereby accepts said Report and authorizes its filing as required by the Public Authorities Law. (Exhibit 2)

ADOPTION: Dated: March 25, 2015

Vote: X-X

I, Donald L. Crumb, Jr., Esq., Assistant Secretary,
Monroe County Airport Authority, do hereby
certify that the within Resolution was duly
adopted by the Monroe County Airport
Authority at a General Meeting held March 25, 2015.

Dated:

Donald L. Crumb, Jr., Esq., Assistant Secretary

MONROE COUNTY AIRPORT AUTHORITY

RESOLUTION NO. ____ of 2015

**AUTHORIZE A LEASE AGREEMENT WITH THE FEDERAL AVIATION
ADMINISTRATION (FAA) FOR EQUIPMENT LOCATED ON AIRPORT PROPERTY AT
999 BEAHAN ROAD**

BE IT RESOLVED BY THE MEMBERS OF THE MONROE COUNTY AIRPORT
AUTHORITY, as follows:

Section 1. The Monroe County Airport Authority hereby authorizes the Administrative Director to execute a "Small Lease for Real Property", a copy of which is attached hereto as **Exhibit A**, with the Federal Aviation Administration ("FAA") to allow the FAA to lease approximately thirty-five (35) square feet of floor space for the operation of the Calibration Performance Monitoring Equipment located at 999 Beahan Road Rochester, New York, which is airport property controlled by the Authority.

Section 2. The Agreement shall be for a period commencing as of October 1, 2014 and terminating September 30, 2024.

Section 3. The compensation for the FAA's lease of the property is Five Hundred and 00/100 Dollars per year.

Section 4. The records in the Office of the Monroe County treasurer have indicated that the FAA owes no delinquent Monroe County property taxes.

Section 5. This resolution shall take effect immediately.

ADOPTION: Dated: March 25, 2015

Vote: X-X

I, Donald L. Crumb, Jr., Esq., Assistant Secretary,
Monroe County Airport Authority, do hereby
certify that the within Resolution was duly
adopted by the Monroe County Airport
Authority at a General Meeting held March 25, 2015.

Dated:

Donald L. Crumb, Jr., Esq., Assistant Secretary

MONROE COUNTY AIRPORT AUTHORITY

RESOLUTION NO. ____ of 2015

AUTHORIZATION TO AMEND THE LEASE BETWEEN NATIONAL EQUITY HOLDING LLC AND THE MONROE COUNTY AIRPORT AUTHORITY FOR THE PARKING LOT COMMONLY KNOWN AS THE "RED LOT".

BE IT RESOLVED BY THE MEMBERS OF THE MONROE COUNTY AIRPORT AUTHORITY, as follows:

Section 1. The Monroe County Airport Authority hereby authorizes the Administrative Director to negotiate and execute an amendment to the lease (the "Lease") between National Equity Holding LLC (the "Landlord") and the Monroe County Airport Authority ("MCAA") for the parking lot commonly known as the "Red Lot".

Section 2. The Administrative Director is authorized to agree to the following revisions to the Rent set forth in the Lease:

Base Rent paid by MCAA to Landlord shall be paid as follows:

- Base Rent beginning February 1, 2015 and ending June 30, 2015 shall be paid on the first day of each calendar month at the rate of \$49,085.67 per month
- Base Rent beginning July 1, 2015 and ending at the end of the Initial Extension Term shall be \$425,000.00 per year, paid monthly on the first day of each calendar month in installments of \$35,416.67, each
- Annual Base Rent during each year of the first or second Extension Terms shall be \$425,000.00, plus an additional amount (the "Enplanement Premium"), based on the following formula:
 - o If enplanements for the Greater Rochester International Airport ("ROC") for the calendar year last ending before the end of the Initial Extension Term, or the first Extension Term thereafter, exceed 1,228,173 (the average annual enplanements as reported by the FAA for years 2009 - 2013), MCAA shall pay to Landlord an annual Enplanement Premium of thirty five cents (\$0.35) per enplanement for each enplanement above 1,228,173. Enplanement statistics used to calculate the Enplanement Premium for the rent calculations above shall be as reported by the FAA or a similar FAA publication."

Section 3. The Administrative Director is authorized to agree to the following revisions to the Term set forth in the Lease:

- The existing term of the Lease is ended as of January 31, 2015
- The Term shall be extended for the period commencing February 1, 2015, and ending January 31, 2020 ("Initial Extension Term")
- The Term may be further extended at the election of MCAA for up to two (2) additional five (5) year terms (collectively the "Extension Terms," and individually an "Extension Term").
- The Term shall automatically extend at the end of Initial Extension Term, and again at the end of the first Extension Term unless MCAA provides written notice of termination to Landlord, at least six (6) months prior to the end of the of

the Initial Extension Term or the first Extension Term, respectively, that Tenant desires the Amended Lease to terminate at the end of the expiring Term.

Section 4. The records in the Office of the Monroe County Treasury have indicated that neither National Equity Holding LLC nor any of its principal officers owe any delinquent Monroe County property taxes.

Section 5: This resolution shall take effect immediately.

ADOPTION:

Dated: March 25, 2015

Vote: X-X

I, Donald L. Crumb, Jr., Esq., Assistant Secretary,
Monroe County Airport Authority, do hereby
certify that the within Resolution was duly
adopted by the Monroe County Airport
Authority at a General Meeting held March 25, 2015.

Dated:

Donald L. Crumb, Jr. Esq., Assistant Secretary

MONROE COUNTY AIRPORT AUTHORITY

RESOLUTION NO. ____ of 2015

**AUTHORIZATION TO OFFER AN INCENTIVE PACKAGE WITH QUALIFIED AIRLINES
WHO INITIATE NEW NON-STOP SERVICE FROM THE GREATER ROCHESTER
INTERNATIONAL AIRPORT (ROC) TO AN UNSERVED AIRPORT**

BE IT RESOLVED BY THE MEMBERS OF THE MONROE COUNTY AIRPORT
AUTHORITY, as follows:

Section 1. The Monroe County Airport Authority hereby authorizes the
Administrative Director to negotiate and execute an airline incentive package with qualified
airlines which provide non-stop service from the Greater Rochester International Airport
(ROC) to an unserved airport.

Section 2. The Administrative Director is authorized to waive landing, terminal or
operation fees and allocate marketing funds for qualified routes as deemed necessary for
development of the airline incentive package.

Section 3. This resolution shall take effect immediately.

ADOPTION:

Dated: March 25, 2015

Vote: X-X

I, Donald L Crumb, Jr., Esq., Assistant Secretary,
Monroe County Airport Authority, do hereby
certify that the within Resolution was duly
adopted by the Monroe County Airport
Authority at a General Meeting held March 25, 2015.

Dated:

Donald L. Crumb, Jr. Esq., Assistant Secretary

MONROE COUNTY AIRPORT AUTHORITY

RESOLUTION NO. ____ OF 2015

**AUTHORIZE AMENDMENT OF THE CONCESSION AGREEMENT FOR OPERATION
OF FOOD AND BEVERAGE CONCESSIONS AT THE GREATER ROCHESTER
INTERNATIONAL AIRPORT WITH SSP AMERICA, INC. f/ka CREATIVE HOST
SERVICES, INC.**

BE IT RESOLVED BY THE MEMBERS OF THE MONROE COUNTY AIRPORT
AUTHORITY, as follows:

Section 1. The Administrative Director is hereby authorized to negotiate and execute, on behalf of the Monroe County Airport Authority, an amendment of the Agreement for operation of food and beverage concessions at the Greater Rochester International Airport (the "Agreement") with SSP America, Inc. to:

a. Replace section A of Article 4- Concession Fees with the following:

Salvatore's Pizza Location

- Rent: 10% rent for sales up to \$250,000. 13% rent for sales over \$250,000.
- Minimum Annual Guarantee ("MAG"): Year 1 MAG of \$17,000. Each subsequent year, MAG will be 85% of total rent paid the prior year.

Blue Zone

- Rent: 14% rent for all sales up to \$450,000; 16% rent for all sales over \$450,000.
- MAG: Year 1 MAG of \$40,000. Each subsequent year, MAG will be 85% of total rent paid the prior year.

Genesee Pub

- Rent: 14% rent for all sales up to \$550,000; 16% rent for all sales over \$550,000.
- MAG: Year 1 MAG of \$40,000. Each subsequent year, MAG will be 85% of total rent paid the prior year.

b. Replace section A of Article 6-Use and Operation with the following:

Concessionaire shall use the three (3) Premises for the sole purposes of operating:

- 1.) Restaurant in the area known as Salvatore's Pizza Location;
- 2.) Restaurant and/or bar, pub, and lounge in the area known as the Blue Zone; and
- 3.) Restaurant and/or bar, pub, and lounge in the area known as the Genesee Pub

Any restaurant and/or bar, pub and lounge must be approved in writing by the Director.

MONROE COUNTY AIRPORT AUTHORITY
RESOLUTION NO. ____ of 2015
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Section 2. All terms and conditions of the Agreement remain the same.

Section 3. The records in the Office of the Monroe County Treasury have indicated that neither SSP America, Inc. nor any of its principal officers owe any delinquent Monroe County property taxes.

Section 4. This resolution shall take effect immediately.

ADOPTION: Dated: March 25, 2015

Vote: X-X

I, Donald L. Crumb, Jr., Esq., Assistant Secretary, Monroe County Airport Authority, do hereby certify that the within Resolution was duly adopted by the Monroe County Airport Authority at a General Meeting held March 25, 2015.

Dated:

Donald L. Crumb, Jr., Esq., Secretary

MONROE COUNTY AIRPORT AUTHORITY

RESOLUTION NO. ____ OF 2015

**AUTHORIZE AMENDMENT OF THE AGREEMENT FOR ADVERTISING AT THE
GREATER ROCHESTER INTERNATIONAL AIRPORT WITH NORMAL
COMMUNICATIONS, LLC**

BE IT RESOLVED BY THE MEMBERS OF THE MONROE COUNTY AIRPORT
AUTHORITY, as follows:

Section 1. The Administrative Director is hereby authorized to execute, on behalf of the Monroe County Airport Authority, an amendment of the Agreement for advertising at the Greater Rochester International Airport (the "Agreement") with Normal Communications, LLC to add the following language to the end of the first sentence of Article 2 (A)(2) in order to clarify the obligations of the parties:

, and excluding the payment of a fifteen percent (15%) commission paid to the Contractor.

Section 2. All terms and conditions of the Agreement remain the same.

Section 3. The records in the Office of the Monroe County Treasury have indicated that neither Normal Communications, LLC nor any of its principal officers owe any delinquent Monroe County property taxes.

Section 4. This resolution shall take effect immediately.

ADOPTION: Dated: March 25, 2015

Vote: X-X

I, Donald L. Crumb, Jr., Esq., Assistant Secretary, Monroe County Airport Authority, do hereby certify that the within Resolution was duly adopted by the Monroe County Airport Authority at a General Meeting held March 25, 2015.

Dated:

Donald L. Crumb, Jr., Esq., Secretary